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January 15, 2021

BY ECF

Honorable Analisa Torres
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Spectrum Painting, Inc. et al.*, 19 Civ. 2096 (AT)

Dear Judge Torres:

This Office represents the United States (the “Government”) as plaintiff in the above-referenced False Claims Act case. I write respectfully on behalf of the parties jointly to request a three-month stay of discovery in this case to allow the parties to pursue settlement of this action.

As part of the parties’ September 22, 2020 proposed Case Management Plan and Scheduling Order, the Government, defendant Tower Maintenance Corp. (“Tower”), and defendant Spectrum Painting Corp. (“Spectrum”) proposed that the parties participate in a settlement conference to attempt resolve the case. On September 29, 2021, this Court referred the case to Judge Lehrburger for settlement. And on November 18, 2020, Judge Lehrburger scheduled a settlement conference to be held on January 7, 2021. (In accordance with the Case Management Plan and Scheduling Order, in addition to working toward settlement, the parties have exchanged initial disclosures, propounded discovery requests, and provided discovery responses.)

During the months of November and December, the Government and Spectrum made preliminary progress on their settlement discussions, and requested and received a one-month adjournment of the settlement conference as to Spectrum in order to exchange information that the Government and Spectrum believed would aid in those discussions.

On January 7, 2021, Judge Lehrburger held a settlement conference with the Government and Tower, during which the parties also made progress toward settlement. At the conference, the parties agreed that Tower would provide additional information to the Government and that the Government would respond to that information in the months following the conference. At the suggestion of Judge Lehrburger, the Government and Tower also agreed to seek a stay of discovery to allow the parties to exchange that information and determine whether settlement is possible. Spectrum consents to this application and agrees that a three-month pause in discovery would facilitate its discussions with the Government as well.

In light of the parties’ progress toward settlement and the need for additional time for both Spectrum and Tower to exchange information with the Government and negotiate a

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potential resolution of this action, the parties respectfully request a three-month stay of discovery in this case. If the Court were to grant the requested stay, all fact discovery would be completed by June 22, 2021, and all expert discovery would be completed by August 6, 2021.

We thank the Court for its consideration of this request.

Respectfully submitted,

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Southern District of New York

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GRANTED. Discovery is STAYED for three months.

The case management conference scheduled for April 6, 2021, is ADJOURNED to **July 12, 2021, at 11:00 a.m.** By **July 5, 2021**, the parties shall submit their joint status letter.

SO ORDERED.

Dated: January 20, 2021
New York, New York



ANALISA TORRES
United States District Judge